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8           UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA  
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10           VINCENT A. GAMBOA,  
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12           Petitioner,

CASE NO. C13-6097 RJB

CR93-2090RJB

13           v.  
14           UNITED STATES OF AMERICA,  
15           Respondent.

ORDER TRANSFERRING CASE

16           This matter comes before the court on review of the file.

17           On December 30, 2013, petitioner Vincent A. Gamboa filed a pleading, captioned "In Re:  
18 Equal Protection, Justice, Mercy and Freedom and the All Writs Act." Dkt. 1. Petitioner  
19 contends that he was convicted by a racially discriminatory sentencing crack cocaine law, in  
20 violation of the Fifth Amendment to the U.S. Constitution. He requests that the court correct the  
21 obvious racial discrimination.

22           This is a second or successive petition. A fair reading of the petition is that petitioner is  
23 requesting that the court vacate, set aside or correct his sentence, pursuant to 28 U.S.C. § 2255.  
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1 This case should be transferred to the Ninth Circuit U.S. Court of Appeals as a second or  
2 successive petition.

3 Accordingly, this case is **TRANSFERRED** to the Ninth Circuit U.S. Court of Appeals as  
4 a second or successive petition.

5 The Clerk is directed to send uncertified copies of this Order to all counsel of record and  
6 to any party appearing *pro se* at said party's last known address.

7 Dated this 8<sup>th</sup> day of January, 2014.

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10 ROBERT J. BRYAN  
United States District Judge

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